

**PATENT****Atty. Docket: 203-2368 (2132)****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Charles D. Ray

Serial No.: 09/807,318

Filed: October 6, 2000

Dated: June 26, 2002

For: INTERBODY DEVICE AND METHOD FOR TREATMENT OF  
OSTEOPOROTIC VERTEBRAL COLLAPSEAttn: John L. Anderson  
Assistant Commissioner for Patents  
Washington, DC 20231**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Dear Mr. Anderson:

In response to the "Notification of Missing Requirements" mailed April 29, 2002 in connection with the above-identified application, enclosed please find copies of the following documents filed with the U.S. Patent and Trademark Office under a Certificate of Mailing dated February 22, 2002:


1. Submission of Declaration/Power of Attorney of Non-Provisional Application; and

**CERTIFICATION UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service on this date June 26, 2002 in an envelope addressed to: Attn: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231.

Joseph W. Schmidt

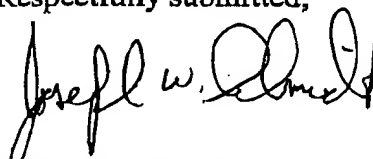
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2. Combined Declaration and Power of Attorney.

Also enclosed is a copy of the postcard accompanying the documents as stamped receipt acknowledging receipt of same by the PTO. If you have any further questions, please contact the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph W. Schmidt". The signature is fluid and cursive, with the first name "Joseph" and last name "Schmidt" being the most legible parts.

Joseph W. Schmidt  
Registration No. 36,920  
Attorney for Applicant(s)

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**Carter, DeLuca, Farrell  
& Schmidt LLP**

# Fax

|               |                           |               |                          |
|---------------|---------------------------|---------------|--------------------------|
| <b>To:</b>    | Exam. John Anderson       | <b>From:</b>  | Joseph W. Schmidt        |
| <b>Fax:</b>   | (703) 305-3230            | <b>Date:</b>  | July 1, 2002             |
| <b>Phone:</b> |                           | <b>Pages:</b> | 11 - pages (incl. Cover) |
| <b>Re:</b>    | U.S. Serial No. 09/807318 | <b>CC:</b>    |                          |
|               |                           |               |                          |

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**•Comments:**

As discussed.

**THE U.S. PATENT AND TRADEMARK OFFICE DATE  
STAMP WILL ACKNOWLEDGE RECEIPT OF:**

1. Response to Notification of Missing Requirements ..."
2. Copy of Submission of Declaration/Power of Attorney of  
Non-Provisional Application
3. Copy of Declaration and Power of Attorney
4. Copy of postcard receipt stamped by the U.S. PTO
5. Copy of "Notification of Missing Requirements"
6. Return postcard

**All submitted under Certificate of Mailing 37 C.F.R §1.8(a)  
dated June 26, 2002**

Applicants: Charles D. Ray

Serial No.: 09/807,318

Filed : October 6, 2000

For : INTERBODY DEVICE AND METHOD FOR TREATMENT ...

Docket No. : 203-2368 (2132)

JWS/mb

**PATENT****Atty. Docket: 2132 (203-2368)****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Charles D. Ray

Serial No.: 09/807,918

Filed: October 6, 2000

Dated: February 22, 2002

For: INTERBODY DEVICE AND METHOD FOR  
TREATMENT OF OSTEOPOROTIC  
VERTEBRAL COLLAPSEAssistant Commissioner for Patents  
Washington, DC 20231**SUBMISSION OF DECLARATION/POWER OF ATTORNEY  
OF NON-PROVISIONAL APPLICATION**

Sir:

The above application was filed on October 6, 2000 under Express Mail No. EL484184987US and was described and claimed in PCT International Application No. PCT/US98/14146 which was filed on July 9, 1998. The application was filed without the required Declaration/Power of Attorney.

Applicant encloses herewith a properly executed original Declaration and Power of Attorney. Also enclosed is a check for \$130.00 to cover the surcharge associated with the late filing of this document.

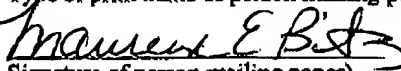
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**CERTIFICATION UNDER 37 C.F.R. § 1.8(a)**

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Maureen E. Bitz

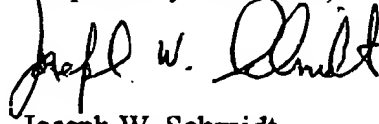
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Any fee deficiency or overpayment may be charged or credited to Deposit Account No. 50-2140, without further authorization. Also, in the event any additional extensions of time are required, please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-2140. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



Joseph W. Schmidt  
Registration No. 36,920  
Attorney for Applicant(s)

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445 Broad Hollow Road, Suite 225  
Melville, New York 11747  
Tel (631) 501-5700  
Fax (631) 501-3526

PATENT OFFICE DATE STAMP WILL ACKNOWLEDGE RECEIPT OF:

1. Submission of Declaration/Power of Attorney
2. Executed Declaration/Power of Attorney
3. Check for \$130.00
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All submitted under Certificate of Mailing 37 C.F.R §1.8(a)  
dated February 22, 2002

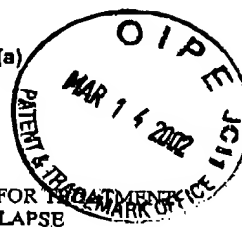
Applicants  
Serial No.  
Filed  
For

Charles D. Ray  
09/807,918  
October 6, 2000

Docket No.

INTERBODY DEVICE AND METHOD FOR TREATMENT  
OF OSTEOPOROTIC VERTEBRAL COLLAPSE  
203-2368

JWS/mb



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